**Remarks/Arguments**

Claims 1-20 are now pending in this application. By this amendment, claims 1, 11, and 18 have been amended. Following entry of this amendment, claims 1-20 will be pending in the present application. For the reasons set forth below, the Applicants respectfully request reconsideration and immediate allowance of this application.

II. Provisional Obviousness-Type Double-Patenting

A. Claims 1-7 and 18

Claims 1-7 and 18 were provisionally rejected on the grounds of nonstatutory obviousness-type double patenting over claims 1-7 and 10-11, filed on 10/26/2007, of co-pending Application No. 10/674,770 (hereinafter "'770"). Since this is a provisional double patenting rejection, this double patenting rejection will be addressed, if necessary, once allowable claims associated with either the current application or the copending application are determined.

B. Claims 1, 3-10, 18, and 20

Claims 1, 3-10, 18, and 20 were provisionally rejected on the grounds of nonstatutory obviousness-type double patenting over claims 1, 6-9, 11, 15, and 18, filed on 9/12/2007 of co-pending Application No. 10/674,840 (hereinafter "'840") in view of U.S. Patent Publication No. 2003/0154009 to Basir et al. (hereinafter *"Basir"*). Since this is a provisional double patenting rejection, this double patenting rejection will be addressed, if necessary, once allowable claims associated with either the current application or the copending application are determined.

C. Claims 2 and 19

Claims 2 and 19 were provisionally rejected on the grounds of nonstatutory obviousness-type double patenting over claims 1, 6-9, 11, 15, and 18 of '840 in view of Basir, as applied to claim 1, 3-10, 18, and 20 above, further in view of U.S. Patent Publication No. 2005/0021197 to Zimmerman et al. (hereinafter "Zimmerman"). Since this is a provisional double patenting rejection, this double patenting rejection will be addressed, if necessary, once allowable claims associated with either the current application or the copending application are determined.

III. Claim Rejections Under 35 U.S.C. 103

Claims 1, 6, 8, 10-11, 13, and 15-17 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Basir* in view of U.S. Patent Publication No. 2003/0058341 to Brodsky et al. (hereinafter "*Brodsky*").

Claims 18 and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Basir* in view of U.S. Patent No. 6,496,607 to Krishnamurthy et al. (hereinafter "*Krishnamurthy*") further in view of *Brodsky*.

Claim 3 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Basir* in view of *Brodsky* further in view of Official Notice.

Claim 4 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Basir* in view of *Brodsky* further in view of Official Notice.

Claim 5 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Basir* in view of *Brodsky* further in view of Official Notice.

Claim 9 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Basir* in view of *Brodsky*, in view of Official Notice, further in view of U.S. Patent No. 6,763,071 to Maeda et al. (hereinafter "*Maeda*").

Claim 7 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Basir* in view of *Brodsky*, in view of Official Notice, further in view of U.S. Patent Publication No. 2002/0191952 to Fiore et al. (hereinafter "*Fiore*").

Claim 19 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Basir* in view of *Krishnamurthy*, in view of *Brodsky*, further in view of *Zimmerman*.

Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Basir* in view of *Brodsky*, further in view of *Zimmerman*.

Claim 2 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Basir* in view of *Brodsky*, in view of Official Notice, further in view of *Zimmerman*.

Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Basir* in view of *Brodsky*, further in view of *Zimmerman*.

Claim 12 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Basir* in view of *Brodsky*, further in view of *Maeda*.

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Claim 1

Amended claim 1 recites, *inter alia*, "tagging…with metadata describing a rule of the set of rules that caused the contents of the loop buffer to be transferred to the memory." With regards to this section, the Office Action at p. 9 cites *Basir* at paragraphs [0031]-[0032]. *Basir* at paragraph [0031] discloses software that "stamps" video data such that "when the data is retrieved, it will be possible to have synchronized playback with the non-visual vehicle and occupant data…." *Basir* at paragraph [0032] discloses that when an eccentric event signal is generated, a video capture module continues recording for a fixed length of time. Once the fixed of time elapses, the stored video is copied from volatile memory into non-volatile memory for permanent storage.

The Office Action at p. 10 alleges that the "stamp" disclosed in *Basir* reads on "tagging" as recited in claim 1. The Applicants respectfully disagree. Nothing in *Basir* discloses that its stamping process refers to stamping "metadata describing a rule of the set of rules that caused the contents of the loop buffer to be transferred to the memory," as recited in claim 1. Instead, the "stamp" disclosed in *Basir* is merely an indicator (e.g., a timestamp) for synchronizing video data to non-visual data during playback. This is supported by *Basir* at paragraph [0031], which discloses stamping the video data, and *Basir* at paragraph [0033], which discloses stamping the non-visual data. By associating indicators to both the video data and the non-visual data, the video data and the non-visual data can be synchronized by matching the indicators.

In light of the above, these "stamps" disclosed by *Basir* are patentably distinguishable from the "tagging" recited in claim 1. Further, *Brodsky* does not overcome the deficiencies of *Basir*. Accordingly, *Basir* and *Brodsky*, individually or in combination, do not teach or suggest "tagging…with metadata describing a rule of the set of rules that caused the contents of the loop buffer to be transferred to the memory," as recited in claim 1.

Amended claim 1 further recites, *inter alia*, "the powertrain management system information comprising an error code associated with a powertrain system." *Basir* does not disclose error codes associated with the powertrain system, nor does *Basir* disclose matching vehicular data with the error codes in order to cause the transfer of the contents of the loop buffer to the memory as recited in claim 1. Further, *Brodsky* does not overcome the deficiencies of *Basir*. Accordingly, *Basir* and *Brodsky*, individually or in combination, do not teach or suggest

"the powertrain management system information comprising an error code associated with a powertrain system," as recited in claim 1.

For at least the reasons given above, claim 1 is allowable over *Basir* and *Brodsky*. Since claims 2-10 depend from claim 1 and recite further claim features, the Applicants respectfully submit the claims 2-10 are also allowable over *Basir* and *Brodsky*. Withdrawal of these rejections is respectfully requested.

Claim 11

Amended claim 11 recites, *inter alia*, "tagging…with metadata describing a rule of the set of rules that caused the contents of the loop buffer to be transferred to the memory." As described in greater detail above with respect to claim 1, *Basir* merely discloses a stamping operation whereby a video data and non-visual data are "stamped." In this way, the video data can be synchronized with the non-visual data during playback according to the stamp. Nothing in *Basir* teaches or suggests "tagging" as recited in claim 11. Further, *Brodsky* does not overcome the deficiencies of *Basir*. Accordingly, *Basir* and *Brodsky*, individually or in combination, do not teach or suggest "tagging…with metadata describing a rule of the set of rules that caused the contents of the loop buffer to be transferred to the memory," as recited in claim 11.

Amended claim 11 further recites, *inter alia*, "the metadata further comprising audio and textual narration that describes the at least one of the time-delayed audio data and the time-delayed video data." Nothing in *Basir* and *Brodsky*, individually or in combination, teaches or suggests tagging with metadata containing the recited information.

For at least the reasons given above, claim 11 is allowable over *Basir* and *Brodsky*. Since claims 12-17 depend from claim 11 and recite further claim features, the Applicants respectfully submit the claims 12-17 are also allowable over *Basir* and *Brodsky*. Withdrawal of these rejections is respectfully requested.

Claim 18

Amended claim 18 recites, *inter alia*, "tagging…with metadata describing a rule of the set of rules that caused the contents of the loop buffer to be transferred to the memory." As described in greater detail above with respect to claim 1, *Basir* merely discloses a stamping

operation whereby a video data and non-visual data are "stamped." In this way, the video data can be synchronized with the non-visual data during playback according to the stamp. Nothing in *Basir* teaches or suggests "tagging" as recited in claim 18. Further, *Krishnamurthy* and *Brodsky* do not overcome the deficiencies of *Basir*. Accordingly, *Basir*, *Krishnamurthy*, and *Brodsky*, individually or in combination, do not teach or suggest "tagging...with metadata describing a rule of the set of rules that caused the contents of the loop buffer to be transferred to the memory," as recited in claim 18.

Amended claim 18 further recites, *inter alia*, "the contents of the loop buffer transferred at a first bitrate associated with the multiple regions of interest if the vehicular data is associated with the multiple regions of interest and the contents of the loop buffer transferred at a second bitrate associated with the multiple regions of disinterest if the vehicular data is associated with the multiple regions of disinterest." Regarding this portion of claim 18, the Office Action at p. 12 cites *Krishnamurthy* at col. 6, line 45-col. 7, line 10, alleging "different coding standards for various areas of the frame according to the difference of importance and the bit rate of the data stream is vary due to this reason" (emphasis added). The Applicants respectfully disagree.

*Krishnamurthy* at col. 6, line 45-col. 7, line 10 discloses coding different areas of a frame with different "Qs" (i.e., quantization parameters or scales) to reflect the difference in importance of the various areas to the viewer. *Krishnamurthy* further discloses that a region of interest is provided with a smaller quantization scale, whereas a region of non-interest is provided with a larger quantization scale. The Office Action alleges that these different Qs cause the bit rate of a data stream to vary.

Even assuming, *arguendo*, that the Office Action is correct, this allegation still does not address the recited portion of claim 18. In claim 18, contents of the loop buffer are transferred at different bit rates depending on whether the vehicular data is associated with the multiple regions of interest or with the multiple regions of disinterest. Nothing in *Krishnamurthy* teaches or suggests that the region of interest and the region of non-interest are applied in the manner of claim 18. Further, nothing in *Krishnamurthy* teaches or suggests transferring the contents of the loop buffer at different bit rates. Further, *Basir* and *Brodsky* does not overcome the deficiencies of *Krishnamurthy*. Accordingly, *Basir*, *Krishnamurthy*, and *Brodsky*, individually or in combination, do not teach or suggest "the contents of the loop buffer transferred at a first bitrate associated with the multiple regions of interest if the vehicular data is associated with the

multiple regions of interest and the contents of the loop buffer transferred at a second bitrate associated with the multiple regions of disinterest if the vehicular data is associated with the multiple regions of disinterest," as recited in claim 18.

Claim 18 further recites, *inter alia*, "providing a manual switch in a vehicle for causing the transfer of the contents of the loop buffer to the memory; in response to activation of the switch, transferring the contents of the loop buffer to the memory." Nothing in *Basir*, *Krishnamurthy*, and *Brodsky*, individually or in combination, teaches or suggests providing a manual switch for transferring the contents of the loop buffer to memory.

For at least the reasons given above, claim 18 is allowable over *Basir, Krishnamurthy,* and *Brodsky*. Since claims 19-20 depend from claim 18 and recite further claim features, the Applicants respectfully submit the claims 19-20 are also allowable over *Basir* and *Brodsky*. Withdrawal of these rejections is respectfully requested.


Official Notice

Claims 2, 3, 4, 5, 7, and 9 were rejected in view of cited art and Official Notice. The Applicants respectfully traverse the rejection of claims 2, 3, 4, 5, 7, and 9 at least because the recitations in these claims are not considered to be common knowledge or well-known in the art. If the Office Action maintains the rejections based on Official Notice, the Applicants respectfully request sufficient documentary evidence establishing that the facts on which the Office Action takes Official Notice are "facts that are "capable of such instant and unquestionable demonstration as to defy dispute." (MPEP 2144.03).

## Conclusion

In view of the foregoing amendment and remarks, the Applicants respectfully submit that all of the pending claims in the present application are in condition for allowance. Reconsideration and reexamination of the application and allowance of the claims at an early date is solicited. If the Examiner has any questions or comments concerning this matter, the Examiner is invited to contact the Applicants' undersigned attorney at the number below.

Respectfully submitted,

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